



**US Army Corps
of Engineers**
New England District

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: March 20, 2001

Comment Period Ends: April 18, 2001

File Number: 199900531

In Reply Refer To: Stephen D. DiLorenzo

Or by e-mail: stephen.d.dilorenzo@usace.army.mil

Harbor Point Properties, Inc., 90 Sakonnet Point Road, Little Compton, Rhode Island 02837 has requested a Corps of Engineers permit under Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act to construct a private membership marina that will have a capacity for 104 boats in dry rack storage in Little Compton, Rhode Island.

The project will require dredging of an irregular shaped area of 1200 square feet to -5.0 mean low water, construction of a boat ramp, installation of a pile and timber dock and a float system. The dredging will be accomplished by mechanical means and the material will be de-watered in a containment area on site prior to final disposal at the Central Landfill in Johnston, Rhode Island.

The project will impact approximately 3100 SF of Essential Fish habitat (EFH) - see attached sheets 3 and 4 for a list of habitat, fish species and life stages for which designated EFH may exist at this site. Loss of this habitat will primarily result from dredging 1200 SF of silt and sand and 1900 SF from the placement of structures. Loss or alteration of this habitat may adversely affect the species shown on sheets 3 and 4 mentioned above. The District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

This project is located on the USGS Sakonnet Point RI quadrangle sheet at UTM coordinates 459250 N and 031650 E.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact Stephen DiLorenzo, Senior Project Manager, at (978) 318-8373, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

**SEE NEXT PAGE FOR
DETAILS OF EVALUATION
FACTORS**

**Robert J. DeSista
Chief, Permits & Enforcement Section
Regulatory Branch**

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity in the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties listed in, or eligible for listing in, the National Register of Historic Places, and no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice.

The following authorizations have been applied for, or have been, or will be obtained:

- ☒ (X) Permit, License or Assent from State.
- ☐ () Permit from Local Wetland Agency or Conservation Commission.
- ☒ (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

If you would prefer not to continue receiving public notices, please check here () and return this portion of the public notice to: U.S. Army Corps of Engineers – New England District, ATTN: Regulatory Branch, 696 Virginia Road, Concord, MA 01742-2751.

NAME:

ADDRESS:

Summary of Essential Fish Habitat (EFH) Designation

10' x 10' Square Coordinates:

| Boundary | North | East | South | West |
|------------|-------------|-------------|-------------|-------------|
| Coordinate | 41° 40.0' N | 71° 10.0' W | 41° 30.0' N | 71° 20.0' W |

Square Description (i.e. habitat, landmarks, coastline markers): The waters within the square within Narragansett Bay affecting the following: south of Hog I., most of Rhode I. within the Sakkonnet River, east of from Island Park on the north, south past Portsmouth, RI., McCorrie Pt., The Glen, Sandy Pt., and Black Pt., to Woods Castle, except for Newport, RI., Sachuest Neck, Easton Pond, most of Green End Pond, Easton Beach, Easton Pt., and Second Beach. Also, within the Sakkonnet River, surrounding west of Little Compton, RI., and Tiverton, RI., from Church Pt., on the south, north past Brown Pt., High Hill Pt., Fogland Pt., Sappowet Pt. And Sappowet Cove, and Nannaquaket Pt. And Nannaquaket Pond, north up to North Tiverton, RI. Also waters and within the eastern half of the East Passage from Bristol Ferry on the north, south past Arnold Pt., Coggeshall Pt., Melville Pt., and Carr Pt., past Coddington Cove, Coasters I., and Coasters I. Harbor, to just north of Newport, RI. Affected as well are Hen I., and Spectacle I., both within The Cove and waters around The Hummocks, RI. Also affected are: the tip of Mt. Hope Pt., Bristol Neck from Church Cove, south around Bristol Pt., back up to Bristol Harbor, and Popaquash Neck, from Bristol Harbor, south past Usher Cove and Popaquash Pt. up to half way up the west coast of Popaquash Neck, along with Prudence I., except for the northwest part. There is also a disposal area southeast of Prudence I., southwest of Dyer I., and east of Rhode I.

| Species | Eggs | Larvae | Juveniles | Adults |
|--|------|--------|-----------|--------|
| Atlantic cod (<i>Gadus morhua</i>) | | | | |
| haddock (<i>Melanogrammus aeglefinus</i>) | | X | | |
| pollock (<i>Pollachius virens</i>) | | | | |
| whiting (<i>Merluccius bilinearis</i>) | | | | |
| red hake (<i>Urophycis chuss</i>) | | X | X | X |
| white hake (<i>Urophycis tenuis</i>) | | | | |
| redfish (<i>Sebastes fasciatus</i>) | n/a | | | |
| witch flounder (<i>Glyptocephalus cynoglossus</i>) | | | | |
| winter flounder (<i>Pleuronectes americanus</i>) | X | X | X | X |
| yellowtail flounder (<i>Pleuronectes ferruginea</i>) | | | | |
| windowpane flounder (<i>Scophthalmus aquosus</i>) | X | X | X | X |
| American plaice (<i>Hippoglossoides platessoides</i>) | | X | X | X |
| ocean pout (<i>Macrozoarces americanus</i>) | | | | |
| Atlantic halibut (<i>Hippoglossus hippoglossus</i>) | | | | |
| Atlantic sea scallop (<i>Placopecten magellanicus</i>) | | | | |
| Atlantic sea herring (<i>Clupea harengus</i>) | | X | X | X |
| monkfish (<i>Lophius americanus</i>) | | | | |
| bluefish (<i>Pomatomus saltatrix</i>) | | | X | X |
| long finned squid (<i>Loligo pealei</i>) | n/a | n/a | | |
| short finned squid (<i>Illex illecebrosus</i>) | n/a | n/a | | |
| Atlantic butterfish (<i>Peprilus triacanthus</i>) | | | | |
| Atlantic mackerel (<i>Scomber scombrus</i>) | X | X | X | X |
| summer flounder (<i>Paralichthys dentatus</i>) | | X | X | X |
| scup (<i>Stenotomus chrysops</i>) | X | X | X | X |
| black sea bass (<i>Centropristus striata</i>) | n/a | | X | X |
| surf clam (<i>Spisula solidissima</i>) | n/a | n/a | | |
| ocean quahog (<i>Artica islandica</i>) | n/a | n/a | | |
| spiny dogfish (<i>Squalus acanthias</i>) | n/a | n/a | | |
| tilefish (<i>Lopholatilus chamaeleonticeps</i>) | | | | |
| king mackerel (<i>Scomberomorus cavalla</i>) | X | X | X | X |
| Spanish mackerel (<i>Scomberomorus maculatus</i>) | X | X | X | X |
| cobia (<i>Rachycentron canadum</i>) | X | X | X | X |
| sand tiger shark (<i>Odontaspis taurus</i>) | | X | | |

| | | | | |
|--|--|--|---|---|
| | | | | |
| sandbar shark (<i>Charcharinus plumbeus</i>) | | | | X |
| bluefin tuna (<i>Thunnus thynnus</i>) | | | X | |